



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of James M. Tyson

Serial Number: 10/759825

Filing Date: 01/20/04

For: Fence with Plugged Openings & Methods of Plugging Same

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

STATEMENT UNDER 37 C.F.R. 1.97 AND 1.98

The US Patents identified below are listed on the attached PTO-1449, and a copy of each is attached hereto.

US Patents 2,737,205; 3,037,745; 3,578,027; 4,615,154; 5,327,942; 6,032,694; 6,032,695; 6,347,488; and D458,350 each disclose opening closure devices.

April 26, 2004

30 N. Nanagosa Trail

Suttons Bay, MI 49682
(231) 271-6868

email kaplanpat@mac.com

Respectfully submitted,

Charles M. Kaplan

Attorney for Applicant
Customer Number 24326

CERTIFICATE OF MAILING

I, Charles M. Kaplan, hereby certify that the foregoing Statement Under 37 C.F.R. 1.97 and 1.98 has been deposited with the U.S. Postal Service, with adequate first class postage prepaid, in an envelope addressed to the the Commissioner for Patents, P.O. 1450, Alexandria, VA 22313-1450 this 26th day of April, 2004.

By

Charles M. Kaplan

Registration No. 19,416



FORM PTO 1449 U.S. Department of Commerce Patent and Trademark Office (Rev 7/80)		ATTORNEY DOCKET NO. T 1		Sheet 1 of 1			
LIST OF PRIOR ART CITED BY APPLICANT (Use several sheets if necessary)		APPLICANT: James M. Tyson		SERIAL NO 10/759825			
		FILING DATE 01/20/04		GROUP			
U. S. PATENT DOCUMENTS							
Examiner Initial *		Document Number	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	AA	2 7 3 3 2 0 5	03/06/56	Stringfield	138	89	
	AB	3 0 3 7 7 4 5	06/05/62	Zeman	256	54	
	AC	3 5 7 8 0 2 7	05/11/71	Zopf i	138	89	
	AD	4 6 1 5 1 5 4	10/07/86	Troutner	52	40	
	AE	5 3 2 7 9 4 2	07/12/94	Black	138	89	
	AF	6 0 3 2 6 9 4	03/07/00	Wel len et al	138	89	
	AG	6 0 3 2 6 9 5	03/07/00	Wel len et al	138	89	
	AH	6 3 4 7 4 8 8	02/19/02	Koye	52	40	
	AI	D 4 5 8 3 5 0	06/04/02	Wagner et al	D23	260	
	AJ						
	AK						
FOREIGN PATENT DOCUMENTS							
		Document Number	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
	AL						
	AM						
	AN						
OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)							
	AO						
	AP						
	AR						
EXAMINER				DATE CONSIDERED			
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							